

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CALEB L. MCGILLVARY,
Plaintiff,

vs.

NICHOLAS SCUTARI, et al.,
Defendants.

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No. 23-cv-22605-JMY

ORDER

AND NOW, this 14th day of November 2024, upon consideration of the *Letter from Plaintiff* in which Plaintiff moves *ex parte* to request emergency relief (ECF No. 250), the *Response to Plaintiff's Letter Dated September 13, 2024* filed by the State Court Defendants (ECF No. 260), the *Ex Parte Motion for Emergency Relief* filed by Plaintiff (ECF No. 256), and the *Response to Plaintiff's Ex Parte Motion for Emergency Relief* filed by the State Court Defendants (ECF No. 278), it is hereby **ORDERED** that Plaintiff's Motion for Emergency Relief and his request for emergency relief are **DENIED**.¹

The Clerk of Court is also **DIRECTED** to **TRANSMIT** (mail) copies of this Order to *pro se* Plaintiff at the mailing address that he has identified on the docket for service of court papers.

BY THE COURT:

/s/ John Milton Younge
Judge John Milton Younge

¹ In his emergency motion and request, Plaintiff alleges that the New Jersey Department of Corrections ("DOC") has reduced his access to the New Jersey State Prison Law Library, and that it limited his access to printing supplies like copy paper. The State Defendants filed a response on behalf of the New Jersey Department of Corrections ("DOC") in which they acknowledged that the New Jersey State Prison's Education Department was short on paper from September 9 through September 19, 2024. They further acknowledge that during this paper

shortage, the Education Department rationed paper and was unable to accommodate Plaintiff's request to make 1,700 copies. Defendants aver that the paper shortage has now resolved because the DOC's vendor has delivered sufficient paper which will enable Plaintiff to make his requested copies. Plaintiff's emergency request is now moot as it relates to any purported limitation on copy paper since the prison received a shipment of paper which resolved Plaintiff's grievance related to copy supplies.

As to Plaintiff's claim that his prison law library time was reduced from five (5) hours per week to four (4) hours per week, the DOC indicated that there have been no scheduled reduced times in the prison law library during the relevant period. Therefore, Plaintiff's emergency request and motion are properly denied.